

Faultily Drawn Indictments May End Mingo Trial

(Continued from page one)

thrown out of court. Accordingly, the fate of the trial, and in consequence the destinies of the defendants, rests largely on the judicial consideration of a single word. Judge Woods is expected to give his decision to-morrow.

The trial is the second of its kind in the United States, as all but one of the other trials for treason in this country have been founded on a political and not an economic basis.

In addition to this leading point and to the importance of the issue, the industrial disputes generally, it is believed that its continuance will be certain to "trip the lid off the West Virginia coal mine strike," which has been the cause of the indignation of the American people to such extent that a change of conditions in those strife-torn districts will have to come.

Want All Facts Bared

For the reason that they are preparing to meet any move that the State may make, which they believe prepared, to confine the evidence to be presented solely to the primary facts of the case and to the evidence which would arouse the indignation of the American people to such extent that a change of conditions in those strife-torn districts will have to come.

Announcement of the State that it was ready to begin its presentation of the case came as a surprise, as it had been believed that it preferred opening the miners' cases by a trial of the State. The other four indictments, which charge everything from inciting riot to murder. More than 700 of the mountaineer miners said to have taken part in the uprising are named in all the indictments.

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"Whereas, Statements have appeared in the public press which indicate that a movement is on foot for the creation of a so-called City of Westchester, into which shall be incorporated all the towns and cities in the southern part of the county; and

Pittsburgh Steel Chiefs Cheered by Coal Outlook

PITTSBURGH, April 24.—Steel interests in the Pittsburgh district tonight took a more cheerful view of the fuel problem than at any time since the coal strike was called, although it was admitted that some independent companies still were uncertain as to their coal supplies.

Information that the United States Steel Corporation, through rearrangement of shipping plans, had built up a reserve of 125,000 tons of coal at its plant at Clairton was received with interest.

FAIRMONT, W. Va., April 24.—Operations were started today in twenty-seven additional northern West Virginia coal mines, which were closed when the strike was called, according to reports reaching here.

CHARLESTON, W. Va., April 24.—Almost nine hundred coal miners were unemployed in the southern West Virginia fields to-day because of "no market," according to the report of the West Virginia Coal Association.

WHEELING, W. Va., April 24.—The Wheeling Steel Corporation today announced that three mills had been placed in operation, one each at West Virginia, Ohio, and Creek and Beach Bottom, W. Va. These additions to operating units, it was said, bring production of the corporation to the highest point in eighteen months.

L. E. Johns Gives Concert

Louis Edgar Johns, pianist and composer, gave a concert of his own works yesterday evening at Runford Hall, on East Forty-first Street, playing a program, "Elegy at the Grave of a Hero," and shorter pieces, while he accompanied songs of varied moods sung by Greta Torpade, the soprano, and Nikola Zan, baritone.

Mr. Johns' music had a safe and sane path, recalling, on the whole, mid-nineteenth century German music; it avoided the ultra-modern or the exotic, except for a French touch in the "Medieval Romance" sung by Miss Torpade, whose clear, expressive, modulated voice did her numbers full justice. The other songs also fared well with the powerful if somewhat rough baritone of Mr. Zan. While not particularly distinctive, the piano pieces and songs were melodious and ingeniously constructed, and had a warmly appreciative band of hearers.

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"Whereas, Statements have appeared in the public press which indicate that a movement is on foot for the creation of a so-called City of Westchester, into which shall be incorporated all the towns and cities in the southern part of the county; and

"Whereas, The establishment of such an institution would take away from the people of the City of Yonkers the right to govern themselves and to exercise control over their own local affairs; and

"Whereas, The right of local self-government is one of the oldest established principles of our democracy and necessary to the continued existence of our form of government; and

"Whereas, There has been established a county government commission which exists for the purpose of formulating a proposed new plan of county government, of which commission ex-Mayor Wallin of this city is a member; and

"Whereas, Although the law provides for a referendum to the people of the county on the question, it also provides that the adoption by the county of a new plan of government shall not preclude the Legislature from amending or modifying such plan; therefore be it

"Resolved, That the Republican City Committee of the City of Yonkers does hereby express its unqualified disapproval of the creation of a City of Westchester, and that it further urges the County Government Commission to adopt no plan of county government which may include the transfer to the county or county officers of any functions now exercised by the city or city officers; and be it further

"Resolved, That a copy of this resolution be forwarded to the chairman of the County Government Commission and to the members of the State Legislature representing the territory included within the limits of the City of Yonkers."

Called Ward Patronage Scheme

Ward's opponents say he favors this scheme because in no other way can he continue to be the patronage dictator of the county. Yonkers, a city of 115,000, and Mount Vernon, a city of approximately 50,000, are growing rapidly and in both places there are vigorous revolts against Ward's exercise of power, revolts, moreover, which menace the rest of the county with infection.

The first revolt was five years ago when Lee Parsons Davis, then Assistant District Attorney, ran for District Attorney in the primaries, beating Francis A. Winslow, the Ward candidate. The next revolt came in Yonkers when Ward refused to nominate for Sheriff Robert Ferguson, an under-sheriff. This attempt to depose Ward was even more successful. About 50 per cent of the county was gained by Ferguson. Last year the Walling-Ward forces in Yonkers were beaten in the primaries by the Sutherland-Weisendanger "rebels." In the Westchester election for Mayor, carried by city by 2,000 votes, but was defeated in the election by the Democrat, Walter M. Tamm.

Ward's supporters, believing that such legislation would be highly detrimental to the best interests and unbuilding of the several municipalities proposed to be included therein, thereby in a great measure at least depriving each municipality of the time-honored privilege of local self-government as exemplified in the Americanized ideals of unbridled home rule."

In the northwest section of Yonkers the Morsmeyer Community Brotherhood, including about two hundred men in its membership, adopted a resolution protesting against the project on the ground that it would increase the cost of government and militate against democratic institutions, and that the proposed city would include large unpopulated areas.

William H. Anderson, state superintendent of the Anti-Saloon League, is a vice-president of the Central Brotherhood of Central Methodist Episcopal Church of Yonkers, which organization has joined the anti-city of Westchester forces. Others in this organization are Frank Fowler, president; Alfred M. Reeves, chairman of the Automobile Chamber of Commerce of the United States; and James A. Jarvis, of the Metropolitan Life Insurance Company. The resolution of the brotherhood adopted at a meeting held March 20 follows: "We approve any proposal in good faith to make a study of governmental conditions within Westchester County, and the various subdivisions thereof, with a view to consolidation of activities, where such consolidation will save money and increase efficiency."

"However, we oppose any attempt to revive the scheme for the so-called City of Westchester, which involves setting up of a government in the entire county, or in a considerable portion thereof, containing the largest cities of the county. In our judgment it would aggravate the situation already existing in Yonkers, where there are large unimproved areas, which impose a burden out of proportion to their ability to support their fair proportion of same on a reasonable basis of taxation."

There are more resolutions on record, but altogether they are but a sign of the campaign, for this is a fight in which there can be no neutral person in Westchester.

Calve Ill; Tour Cancelled

DALLAS, Tex., April 24.—Mme. Emma Calve, concert singer, has cancelled her engagements because of illness. Mme. Calve became ill Saturday in Waco. She will return to New York.

The Stage Door

The French Theater company will present "La Rafale," by Henri Bernstein, at the Belmont Theater tonight. The play will be given in French and will be its first presentation in any language in this country.

Edith Lever will appear in "Go Easy," adapted by Charles George, at the Longacre Theater on Monday night. May 4. Eileen Woodard is also in the cast of the musical comedy.

In W. Griffith's "Orphans of the Storm" will be presented at the Strand Theater next week.

"Kemp," a comedy by J. C. Nugent and Elliott Nugent is soon to be produced.

Aurthur Hammerstein has engaged Queenie Smith, Guy Robertson and Harry Mason for the cast of "Barry Bill," the musical comedy in which Prince Fintino will star at the Selwyn Theater, beginning Monday night, August 21. Queenie Smith is now appearing in "Just Be Cause" at the Earl Carroll Theater.

The Goldwyn Pictures Corporation has purchased Elinor Glyn's "Six Days" for screen production. Some of the scenes for the picture will be made in Paris.

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"We hope you will believe that we considered that such use of the space indicated could not be classed as an improper invasion of the park, but a legitimate development of it along lines of formal landscape gardening." The society then begs leave to withdraw its application.

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With them are a great variety of objects of art and utility for the household. These include seventeenth century bronze, mahogany and walnut furniture, armchairs and occasional chairs, many pieces of Colonial furniture, refectory tables, silver and Sheffield plate.

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